

Executive Summary – Enforcement Matter – Case No. 44874
Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman
Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC
RN103123220
Docket No. 2012-1760-IWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

IWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Port Neches Operations, located at the southwest corner of the intersection of State Highway Spur 136 and Farm-to-Market Road 366, immediately east of Port Neches, Jefferson County

Type of Operation:

Industrial wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: February 22, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$36,800

Amount Deferred for Expedited Settlement: \$7,360

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$14,720

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$14,720

Name of SEP: Big Thicket Association, Wetland Species and Ecosystems Analysis

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and September 2011

**Executive Summary – Enforcement Matter – Case No. 44874
Huntsman Petrochemical LLC, Huntsman International Fuels LLC,
Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and
TPC Group LLC
RN103123220
Docket No. 2012-1760-IWD-E**

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: July 11, 2012
Date(s) of NOE(s): August 7, 2012

Violation Information

Failed to comply with permitted effluent limitations for total suspended solids, total organic carbon, 5-day carbonaceous biochemical oxygen demand, pH, and total zinc [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000511000 Effluent Limitations and Monitoring Requirements Nos. 1 and 2, Outfall Nos. 001, 003, 008, 010, and 301].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

1. The Order will require Respondents to implement and complete a Supplemental Environmental Project ("SEP"). (See SEP Attachment A)
2. The Order will also require Respondents to, within 90 days, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0000511000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

**Executive Summary – Enforcement Matter – Case No. 44874
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RN103123220
Docket No. 2012-1760-IWD-E**

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: JR Cao, Enforcement Division, Enforcement Team 1, MC 169, (512) 239-2543; Debra Barber, Enforcement Division, MC 219, (512) 239-0412

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

Respondent: Daniel J. Kemp, Director of Manufacturing, Huntsman Petrochemical LLC, Huntsman International Fuels LLC, and Huntsman Propylene Oxide LLC, P.O. Box 847, Port Neches, Texas 77651

Howard S. Hardegree, Plant Manager, ISP Water Management Services LLC, P.O. Box 847, Port Neches, Texas 77651

Robert A. Wisenbaker, Plant Manager, TPC Group LLC, P.O. Box 847, Port Neches, Texas 77651

Respondent's Attorney: N/A

Attachment A
Docket Number: 2012-1760-IWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC
Penalty Amount:	Twenty-Nine Thousand Four Hundred Forty Dollars (\$29,440)
SEP Offset Amount:	Fourteen Thousand Seven Hundred Twenty Dollars (\$14,720)
Type of SEP:	Pre-approved
Third-Party Recipient:	Big Thicket Association
Project Name:	<i>Wetland Species and Ecosystems Analysis</i>
Location of SEP:	Hardin, Jefferson, Orange, Jasper, Liberty, Polk, and Tyler Counties

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for Respondents to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

Respondents shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to the **Big Thicket Association** for the *Wetland Species and Ecosystem Analysis* project. The contribution will be used in accordance with the SEP Agreement between the Third-Party Recipient and the TCEQ. Specifically, the SEP Offset Amount will be used to inventory an additional taxonomic group, such as lichens, bryophytes, mussels, mollusks, amphibians, fish, or birds (the “Project”). The Project will involve collecting specimens from the Preserve as well as wetland properties in the above mentioned counties which are in the process of being donated to the Preserve. Currently, a memorandum of understanding regarding the impending donation is in place that will allow inventory of these properties. These areas have never been inventoried and need data for resource management. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs.

Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC
Agreed Order - Attachment A

Respondent's signature affixed to this Agreed Order certifies that they have no prior commitment to make this contribution and that they are being contributed solely in an effort to settle this enforcement action.

b. Environmental Benefit

This Project will benefit the environment by identifying the biodiversity, both native and exotic, in wetland wildlife corridors to assist in stewardship and sustainability. It will also assess the state of pollution indicator species to determine the impact of pollution on the Preserve. Additionally, inventories will identify areas where invasive species are present and aid in the analysis of harmful invasive species spreads and their impacts so that areas for removal can be identified.

c. Minimum Expenditure

Respondents shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondents must contribute the SEP Offset Amount to the Third-Party Recipient. Respondents shall make the check payable to **Big Thicket Association SEP** and shall mail the contribution with a copy of the Agreed Order to:

Big Thicket Association
Attention: Mary C. Johnston, President
P.O. Box 198
Saratoga, Texas 77585

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, Respondents shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. Respondents shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC
Agreed Order - Attachment A

4. Failure to Fully Perform

If Respondents do not perform their obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3, above the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that Respondents failed to fully implement and complete the Project, Respondents shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondents shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or the Project, made by or on behalf of the Respondents must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

Respondents shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondents may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondents under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	13-Aug-2012	Screening	24-Aug-2012	EPA Due	5-Dec-2012
	PCW	24-Aug-2012				

RESPONDENT/FACILITY INFORMATION

Respondent	Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC		
Reg. Ent. Ref. No.	RN103123220		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	44874	No. of Violations	1	
Docket No.	2012-1760-IWD-E	Order Type	1660	
Media Program(s)	Water Quality	Government/Non-Profit	No	
Multi-Media		Enf. Coordinator	JR Cao	
		EC's Team	Enforcement Team 1	
Admin. Penalty \$ Limit Minimum		\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$5,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	84.0% Enhancement	Subtotals 2, 3, & 7	\$4,200
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Notes: Enhancement for two NOV's with same/similar violations, 11 months of self-reported effluent violations, one NOV with dissimilar violations, and one order with denial; and a reduction for one Notice of Intent and one Disclosure of Violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondents do not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$1,206
Approx. Cost of Compliance \$10,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$9,200
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$9,200
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$9,200
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DEFERRAL	20.0% Reduction	Adjustment	-\$1,840
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$7,360
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Screening Date 24-Aug-2012

Docket No. 2012-1760-IWD-E

PCW

Huntsman Petrochemical LLC, Huntsman International Fuels LLC,
Huntsman Propylene Oxide LLC, ISP Water Management Services LLC,
and TPC Group LLC

Respondent

Case ID No. 44874

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103123220

Media [Statute] Water Quality

Enf. Coordinator JR Cao

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	13	65%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 84%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations, 11 months of self-reported effluent violations, one NOV with dissimilar violations, and one order with denial; and a reduction for one Notice of Intent and one Disclosure of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 84%

Screening Date 24-Aug-2012

Docket No. 2012-1760-IWD-E

PCW

Huntsman Petrochemical LLC, Huntsman International Fuels LLC,
Huntsman Propylene Oxide LLC, ISP Water Management Services LLC,
and TPC Group LLC

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

Respondent
Case ID No. 44874

Reg. Ent. Reference No. RN103123220

Media [Statute] Water Quality

Enf. Coordinator JR Cao

Violation Number 1

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas
Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000511000
Effluent Limitations and Monitoring Requirements Nos. 1 and 2, Outfall Nos. 010
and 301

Violation Description

Failed to comply with permitted effluent limitations, as documented during a record
review conducted on July 11, 2012, and shown in the attached violation table.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix
Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which
do not exceed levels that are protective of human health or environmental receptors as a result of
the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 2

31 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$5,000

Two quarterly events are recommended for the quarter containing the month of August 2011, one
for each outfall.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondents do not meet the good faith criteria for
this violation.

Violation Subtotal \$5,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,206

Violation Final Penalty Total \$9,200

This violation Final Assessed Penalty (adjusted for limits) \$9,200

Economic Benefit Worksheet

Respondent Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water

Case ID No. 44874

Reg. Ent. Reference No. RN103123220

Media Water Quality

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$10,000	31-Aug-2011	21-May-2013	1.72	\$57	\$1,149	\$1,206
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to evaluate the cause of the non-compliance and to implement corrective actions. Date required is the first date of non-compliance. Final date is the expected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$1,206



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	13-Aug-2012	Screening	24-Aug-2012	EPA Due	5-Dec-2012
	PCW	24-Aug-2012				

RESPONDENT/FACILITY INFORMATION

Respondent	Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC		
Reg. Ent. Ref. No.	RN103123220		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	44874	No. of Violations	1
Docket No.	2012-1760-IWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	JR Cao
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$15,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **84.0%** Enhancement **Subtotals 2, 3, & 7** **\$12,600**

Notes: Enhancement for two NOV's with same/similar violations, 11 months of self-reported effluent violations, one NOV with dissimilar violations, and one order with denial; and a reduction for one Notice of Intent and one Disclosure of Violations.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondents do not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$0**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts: \$0
Approx. Cost of Compliance: \$0
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$27,600**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **\$27,600**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$27,600**

DEFERRAL **20.0%** Reduction **Adjustment** **-\$5,520**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY **\$22,080**

Screening Date 24-Aug-2012

Docket No. 2012-1760-IWD-E

PCW

Huntsman Petrochemical LLC, Huntsman
International Fuels LLC, Huntsman Propylene
Oxide LLC, ISP Water Management Services LLC,
and TPC Group LLC

Respondent

Case ID No. 44874

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN103123220

Media [Statute] Water Quality

Enf. Coordinator JR Cao

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	13	65%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 84%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations, 11 months of self-reported effluent violations, one NOV with dissimilar violations, and one order with denial; and a reduction for one Notice of Intent and one Disclosure of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 84%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 84%

Screening Date 24-Aug-2012

Docket No. 2012-1760-IWD-E

PCW

Respondent Huntsman Petrochemical LLC, Huntsman International Fuels LL

Policy Revision 3 (September 2011)

Case ID No. 44874

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN103123220

Media [Statute] Water Quality

Enf. Coordinator JR Cao

Violation Number 1

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000511000 Effluent Limitations and Monitoring Requirements No. 1, Outfall Nos. 001, 003, and 008

Violation Description Failed to comply with permitted effluent limitations, as documented during a record review conducted on July 11, 2012, and shown in the attached violation table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 4

123 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$15,000

Four quarterly events are recommended for the quarters containing the months of December 2011, January 2012, March 2012, and April 2012 (one each for Outfall Nos. 001 and 003, and two for Outfall No. 008).

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondents do not meet the good faith criteria for this violation.

Violation Subtotal \$15,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$27,600

This violation Final Assessed Penalty (adjusted for limits) \$27,600

Economic Benefit Worksheet

Respondent Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Wate

Case ID No. 44874

Reg. Ent. Reference No. RN103123220

Media Water Quality

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See economic benefit on accompanying PCW.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

EFFLUENT VIOLATION TABLE						
Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC						
TPDES Permit No. WQ0000511000						
Docket No. 2012-1760-IWD-E						
Months	pH Max.	Total Zinc Daily Avg. Conc.	Total Zinc Daily Max. Conc.	Total Organic Carbon Daily Max. Conc.	CBOD ₅ Daily Max. Loading	Total Suspended Solids Daily Max. Loading
	Limit = 9 SU	Limit = 0.075 mg/L	Limit = 0.16 mg/L	Limit = 55 mg/L	Limit = 3632 lbs/day	Limit = 8325 lbs/day
Outfall 001						
January 2012	c	0.08	c	n/a	n/a	n/a
Outfall 003						
March 2012	n/a	c	0.186	n/a	n/a	n/a
Outfall 008						
December 2011	c	n/a	n/a	93.9	n/a	n/a
April 2012	c	n/a	n/a	105	n/a	n/a
Outfall 010						
August 2011	9.1	n/a	n/a	c	n/a	n/a
Outfall 301						
August 2011	c	n/a	n/a	n/a	3,643	12,015

CBOD₅ = 5-day carbonaceous biochemical oxygen demand

max. = maximum

conc. = concentration

mg/L = milligrams per liter

lbs/day = pounds per day

SU = standard units

c = compliant

n/a = not applicable

Compliance History Report

Customer/Respondent/Owner-Operator: CN603839317 Huntsman Petrochemical, LLC Classification: AVERAGE Rating: 7.02

Regulated Entity: RN103123220 PORT NECHES OPERATIONS Classification: AVERAGE Site Rating: 3.88

ID Number(s): WASTEWATER WASTEWATER PERMIT EPA ID WQ0000511000 TX0005070

Location: SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY SPUR 136 AND FARM-TO-MARKET ROAD 366, IMMEDIATELY EAST OF PORT NECHES, JEFFERSON COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 27, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 27, 2007 to August 27, 2012

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: JR Cao Phone: (512) 239-2543

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? YES
2. Has there been a (known) change in ownership/operator of the site during the compliance period? YES
3. If **YES**, who is the current owner/operator?
Huntsman Petrochemical LLC, OWNER since 11/03/2009
Huntsman Propylene Oxide LLC, OWNER OPERATOR since 11/03/2009
ISP Water Management Services LLC, OWNER OPERATOR since 11/03/2009
TPC Group LLC, OWNER OPERATOR since 11/03/2009
Huntsman International Fuels LLC, OWNER OPERATOR since 11/05/2010
Huntsman Petrochemical, LLC, OWNER OPERATOR since 05/03/2011
4. If **YES**, who was/were the prior owner(s)/operator(s)?
Huntsman International Fuels LLC, OWNER, 11/9/2003 to 11/5/2010
TPC Group LLC, OWNER, 6/26/2006 to 12/16/2008
Huntsman Petrochemical Corporation, OWNER OPERATOR, 11/9/2003 to 11/3/2009
TPC Group LLC, OWNER OPERATOR, 12/16/2008 to 11/3/2009
5. If **YES**, when did the change(s) in owner or operator occur?
11/3/2009
11/5/2010
6. Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
- Effective Date: 11/13/2009 ADMINORDER 2008-1177-IWD-E
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: PC, No. 2(g), Pg. 7 PERMIT
- Description: Failure to prevent the unauthorized discharge of wastewater and contact storm water. The unauthorized discharge of process wastewater occurred on September 3, 2007 at outfall 006 due to an 8 inch line that developed a leak adjacent to outfall 006.
- Classification: Minor
- Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: M&RR. No. 5 PERMIT
- Description: Failure to maintain complete records of flow meter calibrations. Specifically, records do not verify in writing that the device was properly operating and giving accurate results.
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: EL & MR, No. 1 Pg. 2 PERMIT
- Description: Failure to comply with permitted effluent limitations.
- Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: M&RR, No. 3c, Pg. 5 PERMIT

Description: Failure to have records readily available for review. Specifically, the Respondent did not have two National Institute of Standards and Technology certifications (one for the sample storage/reagent storage refrigerator and one for the biochemical oxygen demand/carbonaceous biochemical oxygen demand incubator) available for review at the time of the investigation.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.7(a)

Rqmt Prov: M&RR, No. 2 Pg.4 PERMIT

Description: Failure to maintain complete records of monitoring activities. Specifically, the daily run sheet does not document the sample analysis requested or the preservation of the samples.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: OT, No.2 Pg. 12 PERMIT

Description: Failure to properly report oil and grease results in accordance with the permit. Specifically, the Respondents were reporting values of "less than" when the results indicated no detectable levels below the test method detection level. The permit states that when a minimal analytical limit is not specified in the permit for a parameter and the result indicates no detectable levels, then the level of detection achieved shall be used for that measurement.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.11(e)

Rqmt Prov: M&RR, No. 3c(vi), Pg. 5 PERMIT

Description: Failure to maintain complete records of monitoring activities. Specifically, records for pH measurements did not indicate the buffers used, the temperature of the buffers, the extent of the calibrations, results of the calibration of each buffer, and the resulting slope.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT

Description: Failure to use approved test procedures for the analysis of pollutants. Specifically, the Respondents were utilizing EPA method 160.2 for the analysis of TSS. EPA method 160.2; however, this method is no longer approved for analysis of TSS.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.11(e)

Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT

Description: Failure to properly label laboratory standard solutions. Specifically, the Respondents were not updating the date that standards were made and the pH buffer standard did not have an expiration date on the container.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Opr, No. 1, Pg. 9 PERMIT

Description: Failure to properly operate and maintain all systems of collection, treatment, and disposal. Specifically, a four foot wide by three foot deep sink hole was noted observed adjacent to the sampling point for outfall 003, compromising the integrity of the outfall.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	03/20/2012	(1003479)	7	06/25/2012	(1024157)
2	06/06/2012	(1009197)	8	10/24/2007	(607538)
3	04/24/2012	(1010043)	9	10/24/2007	(607539)
4	07/17/2012	(1014374)	10	11/20/2007	(619494)
5	05/24/2012	(1016437)	11	12/19/2007	(619495)
6	08/09/2012	(1019748)	12	02/21/2008	(672003)

13	03/25/2008	(672004)	40	12/16/2009	(804574)
14	04/24/2008	(672005)	41	06/10/2010	(827783)
15	02/21/2008	(672006)	42	03/25/2010	(830852)
16	06/25/2008	(682863)	43	04/23/2010	(830853)
17	05/22/2008	(689918)	44	05/20/2010	(830854)
18	06/25/2008	(689919)	45	06/24/2010	(846258)
19	08/22/2008	(710704)	46	07/20/2010	(860853)
20	09/24/2008	(710705)	47	08/25/2010	(866819)
21	08/22/2008	(710706)	48	09/22/2010	(873891)
22	09/24/2008	(710707)	49	10/25/2010	(881492)
23	11/21/2008	(727460)	50	11/22/2010	(888021)
24	12/22/2008	(727461)	51	12/22/2010	(896226)
25	02/19/2009	(750242)	52	01/21/2011	(902295)
26	03/24/2009	(750243)	53	02/22/2011	(909071)
27	04/24/2009	(750244)	54	03/24/2011	(916334)
28	05/21/2009	(768331)	55	04/25/2011	(924777)
29	06/11/2009	(768332)	56	05/25/2011	(938015)
30	05/21/2009	(768333)	57	06/21/2011	(945338)
31	05/21/2009	(768334)	58	07/22/2011	(952612)
32	11/02/2009	(780923)	59	08/24/2011	(959293)
33	12/28/2009	(786649)	60	09/25/2011	(965326)
34	05/05/2010	(799180)	61	10/25/2011	(971366)
35	02/23/2010	(804569)	62	11/21/2011	(977526)
36	08/21/2009	(804570)	63	12/20/2011	(984292)
37	09/15/2009	(804571)	64	01/20/2012	(990594)
38	10/22/2009	(804572)	65	02/22/2012	(997955)
39	11/25/2009	(804573)			

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	09/30/2007	(607538)	CN603839317
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2008	(689918)	CN603839317
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2008	(710705)	CN603839317
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	01/31/2010	(804569)	CN603839317
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/04/2010	(799180)	CN603839317
Self Report?	NO		Classification: Moderate
Citation:	PC 2 PERMIT TWC Chapter 26 26.121		
Description:	Failure by Huntsman to prevent the unauthorized discharge of wastewater into or adjacent to the waters of the State.		

Date: 06/10/2010 (827783) CN603839317
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 12/31/2010 (902295) CN603839317
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2011 (916334) CN603839317
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2011 (965326) CN603839317
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 12/31/2011 (990594) CN603839317
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/31/2012 (997955) CN603839317
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 03/31/2012 (1010043) CN603839317
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 04/30/2012 (1016437) CN603839317
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/18/2012 (1014374) CN603839317
 Self Report? NO Classification: Minor
 Citation: M&RR, No. 4, Page 5 PERMIT
 Description: Failure by Huntsman Petrochemical to include all monitoring results in the
 calculation and reporting of values.
 Self Report? NO Classification: Moderate
 Citation: OR, No. 2, Page 12 PERMIT
 Description: Failure by Huntsman Petrochemical to use the level of detection achieved for
 measurements when determining calculations and reporting requirements for
 Ammonia.
 Self Report? NO Classification: Moderate
 Citation: M&RR, No. 2, Page 4 PERMIT
 Description: Failure by Huntsman Petrochemical to comply with test procedures for the
 analysis of pollutants specified in 30 TAC 319.11-319.12.
 Self Report? NO Classification: Moderate
 Citation: OR, No. 1, Page 9 PERMIT
 Description: Failure by Huntsman Petrochemicals to ensure at all times that all systems of
 collection, treatment, and disposal are properly operated and maintained.
 Self Report? NO Classification: Minor
 Citation: OR, No. 11f, Page 11 PERMIT
 Description: Failure by Huntsman Petrochemical to maintain accurate sludge transporter
 manifests.
 Self Report? NO Classification: Moderate
 Citation: PC, No. 2g, Page 7 PERMIT

Description: Failure by Huntsman Petrochemical to prevent the discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall.
 Self Report? NO Classification: Moderate
 Citation: EL&MR, No. 1, Pages 2, 2b, 2e, 2g PERMIT
 Description: Failure by Huntsman Petrochemical to discharge effluent within permitted limits.
 Self Report? NO Classification: Minor
 Citation: D&SPC, No 3, Page 4 PERMIT
 Description: Failure by Huntsman Petrochemical to collect composite samples combined in volumes proportional to flow.
 Self Report? NO Classification: Minor
 Citation: EL&MR, No. 2, Page 2g PERMIT
 Description: Failure by Huntsman Petrochemical to discharge effluent within permitted limits.
 Self Report? NO Classification: Minor
 Citation: M&RR, No. 7(c), Pg. 6 PERMIT
 Description: Failure by Huntsman Petrochemicals to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ regional office and the Manager of the Water and Multimedia Section (MC 146) of the Enforcement Division, within five working days of becoming aware of the noncompliance.

F. Environmental audits.

Notice of Intent Date: 10/09/2008 (743943)

Disclosure Date: 02/17/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11
 30 TAC Chapter 319, SubChapter A 319.7(a)
 30 TAC Chapter 319, SubChapter A 319.7(b)
 30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain accurate waste water logs. Specifically, sample collection dates, and signatures were missing. In addition, failure to maintain records of quality control practices, and waste water surveys, and chain of custody for 3 years.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect oil and grease grab samples using a glass container, and failure to maintain daily temperature readings of the oil and grease refrigerator.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain a properly working TSS oven thermometer, and to properly install the filter media into the vacuum system with the rough side down.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.6

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain the TOX-IC mixed standard to ensure that the expiration date is not exceeded, and laboratory must use different SQC and working standards for phenol analysis.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.9(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect the appropriate number of grab samples and over the appropriate time period for outfall 301.

Viol. Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain pre-August 2006 TOC data for wastewater samples collected from outfall 301, and laboratory instrument maintenance records were not readily accessible during the site audit.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Compliance History Report

Customer/Respondent/Owner-Operator: CN602266173 Huntsman International Fuels LLC Classification: AVERAGE Rating: 3.88

Regulated Entity: RN103123220 PORT NECHES OPERATIONS Classification: AVERAGE Site Rating: 3.88

ID Number(s): WASTEWATER PERMIT WQ0000511000
WASTEWATER EPA ID TX0005070

Location: SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY SPUR 136 AND FARM-TO-MARKET ROAD 366, IMMEDIATELY EAST OF PORT NECHES, JEFFERSON COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 27, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 27, 2007 to August 27, 2012

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: JR Cao Phone: (512) 239-2543

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? YES
2. Has there been a (known) change in ownership/operator of the site during the compliance period? YES
3. If YES, who is the current owner/operator?
Huntsman Petrochemical LLC, OWNER since 11/03/2009
Huntsman Propylene Oxide LLC, OWNER OPERATOR since 11/03/2009
ISP Water Management Services LLC, OWNER OPERATOR since 11/03/2009
TPC Group LLC, OWNER OPERATOR since 11/03/2009
Huntsman International Fuels LLC, OWNER OPERATOR since 11/05/2010
Huntsman Petrochemical, LLC, OWNER OPERATOR since 05/03/2011
4. If YES, who was/were the prior owner(s)/operator(s)?
Huntsman International Fuels LLC, OWNER, 11/9/2003 to 11/5/2010
TPC Group LLC, OWNER, 6/26/2006 to 12/16/2008
Huntsman Petrochemical Corporation, OWNER OPERATOR, 11/9/2003 to 11/3/2009
TPC Group LLC, OWNER OPERATOR, 12/16/2008 to 11/3/2009
5. If YES, when did the change(s) in owner or operator occur?
11/3/2009
11/5/2010
6. Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
Effective Date: 11/13/2009 ADMINORDER 2008-1177-IWD-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: PC, No. 2(g), Pg. 7 PERMIT

Description: Failure to prevent the unauthorized discharge of wastewater and contact storm water. The unauthorized discharge of process wastewater occurred on September 3, 2007 at outfall 006 due to an 8 inch line that developed a leak adjacent to outfall 006.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: M&RR, No. 5 PERMIT

Description: Failure to maintain complete records of flow meter calibrations. Specifically, records do not

verify in writing that the device was properly operating and giving accurate results.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: EL & MR, No. 1 Pg. 2 PERMIT

Description: Failure to comply with permitted effluent limitations.

Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(c)
Rqmt Prov: M&RR, No. 3c, Pg. 5 PERMIT
Description: Failure to have records readily available for review. Specifically, the Respondent did not have two National Institute of Standards and Technology certifications (one for the sample storage/reagent storage refrigerator and one for the biochemical oxygen demand/carbonaceous biochemical oxygen demand incubator) available for review at the time of the investigation.

Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(a)
Rqmt Prov: M&RR, No. 2 Pg.4 PERMIT
Description: Failure to maintain complete records of monitoring activities. Specifically, the daily run sheet does not document the sample analysis requested or the preservation of the samples.

Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: OT, No.2 Pg. 12 PERMIT
Description: Failure to properly report oil and grease results in accordance with the permit. Specifically, the Respondents were reporting values of "less than" when the results indicated no detectable levels below the test method detection level. The permit states that when a minimal analytical limit is not specified in the permit for a parameter and the result indicates no detectable levels, then the level of detection achieved shall be used for that measurement.

Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(e)
Rqmt Prov: M&RR, No. 3c(vi), Pg. 5 PERMIT
Description: Failure to maintain complete records of monitoring activities. Specifically, records for pH measurements did not indicate the buffers used, the temperature of the buffers, the extent of the calibrations, results of the calibration of each buffer, and the resulting slope.

Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(b)
Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT
Description: Failure to use approved test procedures for the analysis of pollutants. Specifically, the Respondents were utilizing EPA method 160.2 for the analysis of TSS. EPA method 160.2; however, this method is no longer approved for analysis of TSS.

Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(e)
Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT
Description: Failure to properly label laboratory standard solutions. Specifically, the Respondents were not updating the date that standards were made and the pH buffer standard did not have an expiration date on the container.

Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: Opr, No. 1, Pg. 9 PERMIT
Description: Failure to properly operate and maintain all systems of collection, treatment, and disposal. Specifically, a four foot wide by three foot deep sink hole was noted observed adjacent to the sampling point for outfall 003, compromising the integrity of the outfall.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	03/20/2012	(1003479)	6	08/09/2012	(1019748)
2	06/06/2012	(1009197)	7	06/25/2012	(1024157)
3	04/24/2012	(1010043)	8	10/24/2007	(607538)
4	07/17/2012	(1014374)	9	10/24/2007	(607539)
5	05/24/2012	(1016437)	10	11/20/2007	(619494)

11	12/19/2007	(619495)	39	11/25/2009	(804573)
12	02/21/2008	(672003)	40	12/16/2009	(804574)
13	03/25/2008	(672004)	41	06/10/2010	(827783)
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15	02/21/2008	(672006)	43	04/23/2010	(830853)
16	06/25/2008	(682863)	44	05/20/2010	(830854)
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20	09/24/2008	(710705)	48	09/22/2010	(873891)
21	08/22/2008	(710706)	49	10/25/2010	(881492)
22	09/24/2008	(710707)	50	11/22/2010	(888021)
23	11/21/2008	(727460)	51	12/22/2010	(896226)
24	12/22/2008	(727461)	52	01/21/2011	(902295)
25	02/19/2009	(750242)	53	02/22/2011	(909071)
26	03/24/2009	(750243)	54	03/24/2011	(916334)
27	04/24/2009	(750244)	55	04/25/2011	(924777)
28	05/21/2009	(768331)	56	05/25/2011	(938015)
29	06/11/2009	(768332)	57	06/21/2011	(945338)
30	05/21/2009	(768333)	58	07/22/2011	(952612)
31	05/21/2009	(768334)	59	08/24/2011	(959293)
32	11/02/2009	(780923)	60	09/25/2011	(965326)
33	12/28/2009	(786649)	61	10/25/2011	(971366)
34	05/05/2010	(799180)	62	11/21/2011	(977526)
35	02/23/2010	(804569)	63	12/20/2011	(984292)
36	08/21/2009	(804570)	64	01/20/2012	(990594)
37	09/15/2009	(804571)	65	02/22/2012	(997955)
38	10/22/2009	(804572)			

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	09/30/2007	(607538)	CN602266173
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2008	(689918)	CN602266173
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2008	(710705)	CN602266173
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	01/31/2010	(804569)	CN602266173
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/04/2010	(799180)	CN602266173
Self Report?	NO		Classification: Moderate
Citation:	PC 2 PERMIT TWC Chapter 26 26.121		

Description: Failure by Huntsman to prevent the unauthorized discharge of wastewater into or adjacent to the waters of the State.

Date: 06/10/2010 (827783) CN602266173

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 12/31/2010 (902295) CN602266173

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 02/28/2011 (916334) CN602266173

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2011 (965326) CN602266173

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2011 (990594) CN602266173

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 01/31/2012 (997955) CN602266173

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2012 (1010043) CN602266173

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 04/30/2012 (1016437) CN602266173

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 07/18/2012 (1014374) CN602266173

Self Report? NO Classification: Minor

Citation: M&RR, No. 4, Page 5 PERMIT

Description: Failure by Huntsman Petrochemical to include all monitoring results in the calculation and reporting of values.

Self Report? NO Classification: Moderate

Citation: OR, No. 2, Page 12 PERMIT

Description: Failure by Huntsman Petrochemical to use the level of detection achieved for measurements when determining calculations and reporting requirements for Ammonia.

Self Report? NO Classification: Moderate

Citation: M&RR, No. 2, Page 4 PERMIT

Description: Failure by Huntsman Petrochemical to comply with test procedures for the analysis of pollutants specified in 30 TAC 319.11-319.12.

Self Report? NO Classification: Moderate

Citation: OR, No. 1, Page 9 PERMIT

Description: Failure by Huntsman Petrochemicals to ensure at all times that all systems of collection, treatment, and disposal are properly operated and maintained.

Self Report? NO Classification: Minor

Citation: OR, No. 11f, Page 11 PERMIT

Description: Failure by Huntsman Petrochemical to maintain accurate sludge transporter manifests.

Self Report? NO Classification: Moderate

Citation: PC, No. 2g, Page 7 PERMIT

Description: Failure by Huntsman Petrochemical to prevent the discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall.

Self Report? NO Classification: Moderate

Citation: EL&MR, No. 1, Pages 2, 2b, 2e, 2g PERMIT

Description: Failure by Huntsman Petrochemical to discharge effluent within permitted limits.

Self Report? NO Classification: Minor

Citation: D&SPC, No 3, Page 4 PERMIT

Description: Failure by Huntsman Petrochemical to collect composite samples combined in volumes proportional to flow.

Self Report? NO Classification: Minor

Citation: EL&MR, No. 2, Page 2g PERMIT

Description: Failure by Huntsman Petrochemical to discharge effluent within permitted limits.

Self Report? NO Classification: Minor

Citation: M&RR, No. 7(c), Pg. 6 PERMIT

Description: Failure by Huntsman Petrochemicals to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ regional office and the Manager of the Water and Multimedia Section (MC 146) of the Enforcement Division, within five working days of becoming aware of the noncompliance.

F. Environmental audits.

Notice of Intent Date: 10/09/2008 (743943)

Disclosure Date: 02/17/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11
30 TAC Chapter 319, SubChapter A 319.7(a)
30 TAC Chapter 319, SubChapter A 319.7(b)
30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain accurate waste water logs. Specifically, sample collection dates, and signatures were missing. In addition, failure to maintain records of quality control practices, and waste water surveys, and chain of custody for 3 years.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect oil and grease grab samples using a glass container, and failure to maintain daily temperature readings of the oil and grease refrigerator.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain a properly working TSS oven thermometer, and to properly install the filter media into the vacuum system with the rough side down.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.6

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain the TOX-IC mixed standard to ensure that the expiration date is not exceeded, and laboratory must use different SQC and working standards for phenol analysis.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.9(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect the appropriate number of grab samples and over the appropriate time period for outfall 301.

Viol. Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain pre-August 2006 TOC data for wastewater samples collected from outfall 301, and laboratory instrument maintenance records were not readily accessible during the site audit.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Compliance History Report

Customer/Respondent/Owner-Operator: CN602266140 Huntsman Propylene Oxide LLC Classification: AVERAGE Rating: 3.88

Regulated Entity: RN103123220 PORT NECHES OPERATIONS Classification: AVERAGE Site Rating: 3.88

ID Number(s): WASTEWATER WASTEWATER PERMIT EPA ID WQ0000511000 TX0005070

Location: SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY SPUR 136 AND FARM-TO-MARKET ROAD 366, IMMEDIATELY EAST OF PORT NECHES, JEFFERSON COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 27, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 27, 2007 to August 27, 2012

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: JR Cao Phone: (512) 239-2543

Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? YES
- Has there been a (known) change in ownership/operator of the site during the compliance period? YES
- If YES, who is the current owner/operator?
 - Huntsman Propylene Oxide LLC, OWNER OPERATOR since 11/03/2009
 - ISP Water Management Services LLC, OWNER OPERATOR since 11/03/2009
 - TPC Group LLC, OWNER OPERATOR since 11/03/2009
 - Huntsman Petrochemical LLC, OWNER since 11/03/2009
 - Huntsman International Fuels LLC, OWNER OPERATOR since 11/05/2010
 - Huntsman Petrochemical, LLC, OWNER OPERATOR since 05/03/2011
- If YES, who was/were the prior owner(s)/operator(s)?
 - Huntsman International Fuels LLC, OWNER, 11/9/2003 to 11/5/2010
 - Huntsman Petrochemical Corporation, OWNER OPERATOR, 11/9/2003 to 11/3/2009
 - TPC Group LLC, OWNER, 6/26/2006 to 12/16/2008
 - TPC Group LLC, OWNER OPERATOR, 12/16/2008 to 11/3/2009
- If YES, when did the change(s) in owner or operator occur?
 - 11/3/2009
 - 11/5/2010
- Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
- Effective Date: 11/13/2009 ADMINORDER 2008-1177-IWD-E
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: PC, No. 2(g), Pg. 7 PERMIT
- Description: Failure to prevent the unauthorized discharge of wastewater and contact storm water. The unauthorized discharge of process wastewater occurred on September 3, 2007 at outfall 006 due to an 8 inch line that developed a leak adjacent to outfall 006.
- Classification: Minor
- Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: M&RR. No. 5 PERMIT
- Description: Failure to maintain complete records of flow meter calibrations. Specifically, records do not verify in writing that the device was properly operating and giving accurate results.
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: EL & MR, No. 1 Pg. 2 PERMIT
- Description: Failure to comply with permitted effluent limitations.
- Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: M&RR, No. 3c, Pg. 5 PERMIT

Description: Failure to have records readily available for review. Specifically, the Respondent did not have two National Institute of Standards and Technology certifications (one for the sample storage/reagent storage refrigerator and one for the biochemical oxygen demand/carbonaceous biochemical oxygen demand incubator) available for review at the time of the investigation.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(a)

Rqmt Prov: M&RR, No. 2 Pg.4 PERMIT

Description: Failure to maintain complete records of monitoring activities. Specifically, the daily run sheet does not document the sample analysis requested or the preservation of the samples.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: OT, No.2 Pg. 12 PERMIT

Description: Failure to properly report oil and grease results in accordance with the permit. Specifically, the Respondents were reporting values of "less than" when the results indicated no detectable levels below the test method detection level. The permit states that when a minimal analytical limit is not specified in the permit for a parameter and the result indicates no detectable levels, then the level of detection achieved shall be used for that measurement.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(e)

Rqmt Prov: M&RR, No. 3c(vi), Pg. 5 PERMIT

Description: Failure to maintain complete records of monitoring activities. Specifically, records for pH measurements did not indicate the buffers used, the temperature of the buffers, the extent of the calibrations, results of the calibration of each buffer, and the resulting slope.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT

Description: Failure to use approved test procedures for the analysis of pollutants. Specifically, the Respondents were utilizing EPA method 160.2 for the analysis of TSS. EPA method 160.2; however, this method is no longer approved for analysis of TSS.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(e)

Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT

Description: Failure to properly label laboratory standard solutions. Specifically, the Respondents were not updating the date that standards were made and the pH buffer standard did not have an expiration date on the container.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Opr, No. 1, Pg. 9 PERMIT

Description: Failure to properly operate and maintain all systems of collection, treatment, and disposal. Specifically, a four foot wide by three foot deep sink hole was noted observed adjacent to the sampling point for outfall 003, compromising the integrity of the outfall.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	03/20/2012	(1003479)	7	06/25/2012	(1024157)
2	06/06/2012	(1009197)	8	10/24/2007	(607538)
3	04/24/2012	(1010043)	9	10/24/2007	(607539)
4	07/17/2012	(1014374)	10	11/20/2007	(619494)
5	05/24/2012	(1016437)	11	12/19/2007	(619495)
6	08/09/2012	(1019748)	12	02/21/2008	(672003)

13	03/25/2008	(672004)	40	12/16/2009	(804574)
14	04/24/2008	(672005)	41	06/10/2010	(827783)
15	02/21/2008	(672006)	42	03/25/2010	(830852)
16	06/25/2008	(682863)	43	04/23/2010	(830853)
17	05/22/2008	(689918)	44	05/20/2010	(830854)
18	06/25/2008	(689919)	45	06/24/2010	(846258)
19	08/22/2008	(710704)	46	07/20/2010	(860853)
20	09/24/2008	(710705)	47	08/25/2010	(866819)
21	08/22/2008	(710706)	48	09/22/2010	(873891)
22	09/24/2008	(710707)	49	10/25/2010	(881492)
23	11/21/2008	(727460)	50	11/22/2010	(888021)
24	12/22/2008	(727461)	51	12/22/2010	(896226)
25	02/19/2009	(750242)	52	01/21/2011	(902295)
26	03/24/2009	(750243)	53	02/22/2011	(909071)
27	04/24/2009	(750244)	54	03/24/2011	(916334)
28	05/21/2009	(768331)	55	04/25/2011	(924777)
29	06/11/2009	(768332)	56	05/25/2011	(938015)
30	05/21/2009	(768333)	57	06/21/2011	(945338)
31	05/21/2009	(768334)	58	07/22/2011	(952612)
32	11/02/2009	(780923)	59	08/24/2011	(959293)
33	12/28/2009	(786649)	60	09/25/2011	(965326)
34	05/05/2010	(799180)	61	10/25/2011	(971366)
35	02/23/2010	(804569)	62	11/21/2011	(977526)
36	08/21/2009	(804570)	63	12/20/2011	(984292)
37	09/15/2009	(804571)	64	01/20/2012	(990594)
38	10/22/2009	(804572)	65	02/22/2012	(997955)
39	11/25/2009	(804573)			

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	09/30/2007	(607538)	CN602266140
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2008	(689918)	CN602266140
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2008	(710705)	CN602266140
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	01/31/2010	(804569)	CN602266140
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/04/2010	(799180)	CN602266140
Self Report?	NO		Classification: Moderate
Citation:	PC 2 PERMIT TWC Chapter 26 26.121		
Description:	Failure by Huntsman to prevent the unauthorized discharge of wastewater into or adjacent to the waters of the State.		

Date: 06/10/2010 (827783) CN602266140
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 12/31/2010 (902295) CN602266140
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2011 (916334) CN602266140
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)

 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2011 (965326) CN602266140
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 12/31/2011 (990594) CN602266140
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/31/2012 (997955) CN602266140
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 03/31/2012 (1010043) CN602266140
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 04/30/2012 (1016437) CN602266140
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/18/2012 (1014374) CN602266140
 Self Report? NO Classification: Minor
 Citation: M&RR, No. 4, Page 5 PERMIT
 Description: Failure by Huntsman Petrochemical to include all monitoring results in the
 calculation and reporting of values.
 Self Report? NO Classification: Moderate
 Citation: OR, No. 2, Page 12 PERMIT
 Description: Failure by Huntsman Petrochemical to use the level of detection achieved for
 measurements when determining calculations and reporting requirements for
 Ammonia.
 Self Report? NO Classification: Moderate
 Citation: M&RR, No. 2, Page 4 PERMIT
 Description: Failure by Huntsman Petrochemical to comply with test procedures for the
 analysis of pollutants specified in 30 TAC 319.11-319.12.
 Self Report? NO Classification: Moderate
 Citation: OR, No. 1, Page 9 PERMIT
 Description: Failure by Huntsman Petrochemicals to ensure at all times that all systems of
 collection, treatment, and disposal are properly operated and maintained.
 Self Report? NO Classification: Minor
 Citation: OR, No. 11f, Page 11 PERMIT
 Description: Failure by Huntsman Petrochemical to maintain accurate sludge transporter
 manifests.

Self Report?	NO	Classification:	Moderate
Citation:	PC, No. 2g, Page 7 PERMIT		
Description:	Failure by Huntsman Petrochemical to prevent the discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall.		
Self Report?	NO	Classification:	Moderate
Citation:	EL&MR, No. 1, Pages 2, 2b, 2e, 2g PERMIT		
Description:	Failure by Huntsman Petrochemical to discharge effluent within permitted limits.		
Self Report?	NO	Classification:	Minor
Citation:	D&SPC, No 3, Page 4 PERMIT		
Description:	Failure by Huntsman Petrochemical to collect composite samples combined in volumes proportional to flow.		
Self Report?	NO	Classification:	Minor
Citation:	EL&MR, No. 2, Page 2g PERMIT		
Description:	Failure by Huntsman Petrochemical to discharge effluent within permitted limits.		
Self Report?	NO	Classification:	Minor
Citation:	M&RR, No. 7(c), Pg. 6 PERMIT		
Description:	Failure by Huntsman Petrochemicals to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ regional office and the Manager of the Water and Multimedia Section (MC 146) of the Enforcement Division, within five working days of becoming aware of the noncompliance.		

F. Environmental audits.

Notice of Intent Date: 10/09/2008 (743943)
Disclosure Date: 02/17/2009

Viol. Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.11
30 TAC Chapter 319, SubChapter A 319.7(a)
30 TAC Chapter 319, SubChapter A 319.7(b)
30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain accurate waste water logs. Specifically, sample collection dates, and signatures were missing. In addition, failure to maintain records of quality control practices, and waste water surveys, and chain of custody for 3 years.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect oil and grease grab samples using a glass container, and failure to maintain daily temperature readings of the oil and grease refrigerator.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.11

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain a properly working TSS oven thermometer, and to properly install the filter media into the vacuum system with the rough side down.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.6

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain the TOX-IC mixed standard to ensure that the expiration date is not exceeded, and laboratory must use different SQC and working standards for phenol analysis.

Viol. Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.9(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect the appropriate number of grab samples and over the appropriate time period for outfall 301.

Viol. Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain pre-August 2006 TOC data for wastewater samples collected from outfall 301, and laboratory instrument maintenance records were not readily accessible during the site audit.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Compliance History Report

Customer/Respondent/Owner-Operator: CN602496937 ISP Water Management Services LLC Classification: AVERAGE Rating: 3.88

Regulated Entity: RN103123220 PORT NECHES OPERATIONS Classification: AVERAGE Site Rating: 3.88

ID Number(s): WASTEWATER WASTEWATER PERMIT EPA ID WQ0000511000 TX0005070

Location: SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY SPUR 136 AND FARM-TO-MARKET ROAD 366, IMMEDIATELY EAST OF PORT NECHES, JEFFERSON COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 27, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 27, 2007 to August 27, 2012

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: JR Cao Phone: (512) 239-2543

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? YES
2. Has there been a (known) change in ownership/operator of the site during the compliance period? YES
3. If YES, who is the current owner/operator?
 - Huntsman Petrochemical LLC, OWNER since 11/03/2009
 - Huntsman Propylene Oxide LLC, OWNER OPERATOR since 11/03/2009
 - ISP Water Management Services LLC, OWNER OPERATOR since 11/03/2009
 - TPC Group LLC, OWNER OPERATOR since 11/03/2009
 - Huntsman International Fuels LLC, OWNER OPERATOR since 11/05/2010
 - Huntsman Petrochemical, LLC, OWNER OPERATOR since 05/03/2011
4. If YES, who was/were the prior owner(s)/operator(s)?
 - Huntsman International Fuels LLC, OWNER, 11/9/2003 to 11/5/2010
 - TPC Group LLC, OWNER, 6/26/2006 to 12/16/2008
 - Huntsman Petrochemical Corporation, OWNER OPERATOR, 11/9/2003 to 11/3/2009
 - TPC Group LLC, OWNER OPERATOR, 12/16/2008 to 11/3/2009
5. If YES, when did the change(s) in owner or operator occur?
 - 11/3/2009
 - 11/5/2010
6. Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
- Effective Date: 11/13/2009 ADMINORDER 2008-1177-IWD-E
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: PC, No. 2(g), Pg. 7 PERMIT
- Description: Failure to prevent the unauthorized discharge of wastewater and contact storm water. The unauthorized discharge of process wastewater occurred on September 3, 2007 at outfall 006 due to an 8 inch line that developed a leak adjacent to outfall 006.
- Classification: Minor
- Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: M&RR. No. 5 PERMIT
- Description: Failure to maintain complete records of flow meter calibrations. Specifically, records do not verify in writing that the device was properly operating and giving accurate results.
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: EL & MR, No. 1 Pg. 2 PERMIT
- Description: Failure to comply with permitted effluent limitations.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: M&RR, No. 3c, Pg. 5 PERMIT

Description: Failure to have records readily available for review. Specifically, the Respondent did not have two National Institute of Standards and Technology certifications (one for the sample storage/reagent storage refrigerator and one for the biochemical oxygen demand/carbonaceous biochemical oxygen demand incubator) available for review at the time of the investigation.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(a)

Rqmt Prov: M&RR, No. 2 Pg.4 PERMIT

Description: Failure to maintain complete records of monitoring activities. Specifically, the daily run sheet does not document the sample analysis requested or the preservation of the samples.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov: OT, No.2 Pg. 12 PERMIT

Description: Failure to properly report oil and grease results in accordance with the permit. Specifically, the Respondents were reporting values of "less than" when the results indicated no detectable levels below the test method detection level. The permit states that when a minimal analytical limit is not specified in the permit for a parameter and the result indicates no detectable levels, then the level of detection achieved shall be used for that measurement.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(e)

Rqmt Prov: M&RR, No. 3c(vi), Pg. 5 PERMIT

Description: Failure to maintain complete records of monitoring activities. Specifically, records for pH measurements did not indicate the buffers used, the temperature of the buffers, the extent of the calibrations, results of the calibration of each buffer, and the resulting slope.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT

Description: Failure to use approved test procedures for the analysis of pollutants. Specifically, the Respondents were utilizing EPA method 160.2 for the analysis of TSS. EPA method 160.2; however, this method is no longer approved for analysis of TSS.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(e)

Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT

Description: Failure to properly label laboratory standard solutions. Specifically, the Respondents were not updating the date that standards were made and the pH buffer standard did not have an expiration date on the container.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)
Rqmt Prov: Opr, No. 1, Pg. 9 PERMIT

Description: Failure to properly operate and maintain all systems of collection, treatment, and disposal. Specifically, a four foot wide by three foot deep sink hole was noted observed adjacent to the sampling point for outfall 003, compromising the integrity of the outfall.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	03/20/2012	(1003479)	6	08/09/2012	(1019748)
2	06/06/2012	(1009197)	7	06/25/2012	(1024157)
3	04/24/2012	(1010043)	8	10/24/2007	(607538)
4	07/17/2012	(1014374)	9	10/24/2007	(607539)
5	05/24/2012	(1016437)	10	11/20/2007	(619494)

11	12/19/2007	(619495)	39	11/25/2009	(804573)
12	02/21/2008	(672003)	40	12/16/2009	(804574)
13	03/25/2008	(672004)	41	06/10/2010	(827783)
14	04/24/2008	(672005)	42	03/25/2010	(830852)
15	02/21/2008	(672006)	43	04/23/2010	(830853)
16	06/25/2008	(682863)	44	05/20/2010	(830854)
17	05/22/2008	(689918)	45	06/24/2010	(846258)
18	06/25/2008	(689919)	46	07/20/2010	(860853)
19	08/22/2008	(710704)	47	08/25/2010	(866819)
20	09/24/2008	(710705)	48	09/22/2010	(873891)
21	08/22/2008	(710706)	49	10/25/2010	(881492)
22	09/24/2008	(710707)	50	11/22/2010	(888021)
23	11/21/2008	(727460)	51	12/22/2010	(896226)
24	12/22/2008	(727461)	52	01/21/2011	(902295)
25	02/19/2009	(750242)	53	02/22/2011	(909071)
26	03/24/2009	(750243)	54	03/24/2011	(916334)
27	04/24/2009	(750244)	55	04/25/2011	(924777)
28	05/21/2009	(768331)	56	05/25/2011	(938015)
29	06/11/2009	(768332)	57	06/21/2011	(945338)
30	05/21/2009	(768333)	58	07/22/2011	(952612)
31	05/21/2009	(768334)	59	08/24/2011	(959293)
32	11/02/2009	(780923)	60	09/25/2011	(965326)
33	12/28/2009	(786649)	61	10/25/2011	(971366)
34	05/05/2010	(799180)	62	11/21/2011	(977526)
35	02/23/2010	(804569)	63	12/20/2011	(984292)
36	08/21/2009	(804570)	64	01/20/2012	(990594)
37	09/15/2009	(804571)	65	02/22/2012	(997955)
38	10/22/2009	(804572)			

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	09/30/2007	(607538)	CN602496937
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2008	(689918)	CN602496937
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2008	(710705)	CN602496937
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	01/31/2010	(804569)	CN602496937
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/04/2010	(799180)	CN602496937
Self Report?	NO		Classification: Moderate
Citation:	PC 2 PERMIT TWC Chapter 26 26.121		
Description:	Failure by Huntsman to prevent the unauthorized discharge of wastewater into		

or adjacent to the waters of the State.

Date: 06/10/2010 (827783) CN602496937
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE
Date: 12/31/2010 (902295) CN602496937
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 02/28/2011 (916334) CN602496937
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter
Date: 08/31/2011 (965326) CN602496937
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 12/31/2011 (990594) CN602496937
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 01/31/2012 (997955) CN602496937
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 03/31/2012 (1010043) CN602496937
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 04/30/2012 (1016437) CN602496937
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date: 07/18/2012 (1014374) CN602496937
Self Report? NO Classification: Minor
Citation: M&RR, No. 4, Page 5 PERMIT
Description: Failure by Huntsman Petrochemical to include all monitoring results in the calculation and reporting of values.
Self Report? NO Classification: Moderate
Citation: OR, No. 2, Page 12 PERMIT
Description: Failure by Huntsman Petrochemical to use the level of detection achieved for measurements when determining calculations and reporting requirements for Ammonia.
Self Report? NO Classification: Moderate
Citation: M&RR, No. 2, Page 4 PERMIT
Description: Failure by Huntsman Petrochemical to comply with test procedures for the analysis of pollutants specified in 30 TAC 319.11-319.12.
Self Report? NO Classification: Moderate
Citation: OR, No. 1, Page 9 PERMIT
Description: Failure by Huntsman Petrochemicals to ensure at all times that all systems of collection, treatment, and disposal are properly operated and maintained.
Self Report? NO Classification: Minor
Citation: OR, No. 11f, Page 11 PERMIT
Description: Failure by Huntsman Petrochemical to maintain accurate sludge transporter

manifests.

Self Report?	NO	Classification:	Moderate
Citation:	PC, No. 2g, Page 7 PERMIT		
Description:	Failure by Huntsman Petrochemical to prevent the discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall.		
Self Report?	NO	Classification:	Moderate
Citation:	EL&MR, No. 1, Pages 2, 2b, 2e, 2g PERMIT		
Description:	Failure by Huntsman Petrochemical to discharge effluent within permitted limits.		
Self Report?	NO	Classification:	Minor
Citation:	D&SPC, No 3, Page 4 PERMIT		
Description:	Failure by Huntsman Petrochemical to collect composite samples combined in volumes proportional to flow.		
Self Report?	NO	Classification:	Minor
Citation:	EL&MR, No. 2, Page 2g PERMIT		
Description:	Failure by Huntsman Petrochemical to discharge effluent within permitted limits.		
Self Report?	NO	Classification:	Minor
Citation:	M&RR, No. 7(c), Pg. 6 PERMIT		
Description:	Failure by Huntsman Petrochemicals to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ regional office and the Manager of the Water and Multimedia Section (MC 146) of the Enforcement Division, within five working days of becoming aware of the noncompliance.		

F. Environmental audits.

Notice of Intent Date: 10/09/2008 (743943)
 Disclosure Date: 02/17/2009

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.11
 30 TAC Chapter 319, SubChapter A 319.7(a)
 30 TAC Chapter 319, SubChapter A 319.7(b)
 30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain accurate waste water logs. Specifically, sample collection dates, and signatures were missing. In addition, failure to maintain records of quality control practices, and waste water surveys, and chain of custody for 3 years.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect oil and grease grab samples using a glass container, and failure to maintain daily temperature readings of the oil and grease refrigerator.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.11

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain a properly working TSS oven thermometer, and to properly install the filter media into the vacuum system with the rough side down.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.6

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain the TOX-IC mixed standard to ensure that the expiration date is not exceeded, and laboratory must use different SQC and working standards for phenol analysis.

Viol. Classification: Moderate
 Citation: 30 TAC Chapter 319, SubChapter A 319.9(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect the appropriate number of grab samples and over the appropriate time period for outfall 301.

Viol. Classification: Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain pre-August 2006 TOC data for wastewater samples collected from outfall 301, and laboratory instrument maintenance records were not readily accessible during the site audit.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Compliance History Report

Customer/Respondent/Owner-Operator: CN603624289 TPC Group LLC Classification: AVERAGE Rating: 8.40

Regulated Entity: RN103123220 PORT NECHES OPERATIONS Classification: AVERAGE Site Rating: 3.88

ID Number(s): WASTEWATER PERMIT WQ0000511000
WASTEWATER EPA ID TX0005070

Location: SOUTHWEST CORNER OF THE INTERSECTION OF STATE HIGHWAY SPUR 136 AND FARM-TO-MARKET ROAD 366, IMMEDIATELY EAST OF PORT NECHES, JEFFERSON COUNTY, TEXAS

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: August 27, 2012

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 27, 2007 to August 27, 2012

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: JR Cao Phone: (512) 239-2543

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? YES
2. Has there been a (known) change in ownership/operator of the site during the compliance period? YES
3. If **YES**, who is the current owner/operator?
Huntsman Propylene Oxide LLC, OWNER OPERATOR since 11/03/2009
ISP Water Management Services LLC, OWNER OPERATOR since 11/03/2009
TPC Group LLC, OWNER OPERATOR since 11/03/2009
Huntsman Petrochemical LLC, OWNER since 11/03/2009
Huntsman International Fuels LLC, OWNER OPERATOR since 11/05/2010
Huntsman Petrochemical, LLC, OWNER OPERATOR since 05/03/2011
4. If **YES**, who was/were the prior owner(s)/operator(s)?
Huntsman International Fuels LLC, OWNER, 11/9/2003 to 11/5/2010
Huntsman Petrochemical Corporation, OWNER OPERATOR, 11/9/2003 to 11/3/2009
TPC Group LLC, OWNER, 6/26/2006 to 12/16/2008
TPC Group LLC, OWNER OPERATOR, 12/16/2008 to 11/3/2009
5. If **YES**, when did the change(s) in owner or operator occur? - 11/3/2009
11/5/2010
6. Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
- Effective Date: 11/13/2009 ADMINORDER 2008-1177-IWD-E
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: PC, No. 2(g), Pg. 7 PERMIT
- Description: Failure to prevent the unauthorized discharge of wastewater and contact storm water. The unauthorized discharge of process wastewater occurred on September 3, 2007 at outfall 006 due to an 8 inch line that developed a leak adjacent to outfall 006.
- Classification: Minor
- Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: M&RR. No. 5 PERMIT
- Description: Failure to maintain complete records of flow meter calibrations. Specifically, records do not verify in writing that the device was properly operating and giving accurate results.
- Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Rqmt Prov: EL & MR, No. 1 Pg. 2 PERMIT

Description: Failure to comply with permitted effluent limitations.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: M&RR, No. 3c, Pg. 5 PERMIT

Description: Failure to have records readily available for review. Specifically, the Respondent did not have two National Institute of Standards and Technology certifications (one for the sample storage/reagent storage refrigerator and one for the biochemical oxygen demand/carbonaceous biochemical oxygen demand incubator) available for review at the time of the investigation.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.7(a)

Rqmt Prov: M&RR, No. 2 Pg.4 PERMIT

Description: Failure to maintain complete records of monitoring activities. Specifically, the daily run sheet does not document the sample analysis requested or the preservation of the samples.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: OT, No.2 Pg. 12 PERMIT

Description: Failure to properly report oil and grease results in accordance with the permit. Specifically, the Respondents were reporting values of "less than" when the results indicated no detectable levels below the test method detection level. The permit states that when a minimal analytical limit is not specified in the permit for a parameter and the result indicates no detectable levels, then the level of detection achieved shall be used for that measurement.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(e)

Rqmt Prov: M&RR, No. 3c(vi), Pg. 5 PERMIT

Description: Failure to maintain complete records of monitoring activities. Specifically, records for pH measurements did not indicate the buffers used, the temperature of the buffers, the extent of the calibrations, results of the calibration of each buffer, and the resulting slope.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT

Description: Failure to use approved test procedures for the analysis of pollutants. Specifically, the Respondents were utilizing EPA method 160.2 for the analysis of TSS. EPA method 160.2; however, this method is no longer approved for analysis of TSS.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 319, SubChapter A 319.11(e)

Rqmt Prov: M&RR, No. 2, Pg. 4 PERMIT

Description: Failure to properly label laboratory standard solutions. Specifically, the Respondents were not updating the date that standards were made and the pH buffer standard did not have an expiration date on the container.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Opr, No. 1, Pg. 9 PERMIT

Description: Failure to properly operate and maintain all systems of collection, treatment, and disposal. Specifically, a four foot wide by three foot deep sink hole was noted observed adjacent to the sampling point for outfall 003, compromising the integrity of the outfall.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	03/20/2012	(1003479)	5	05/24/2012	(1016437)	
	2	06/06/2012	(1009197)	6	08/09/2012	(1019748)
	3	04/24/2012	(1010043)	7	06/25/2012	(1024157)
	4	07/17/2012	(1014374)	8	10/24/2007	(607538)

9	10/24/2007	(607539)	38	10/22/2009	(804572)
10	11/20/2007	(619494)	39	11/25/2009	(804573)
11	12/19/2007	(619495)	40	12/16/2009	(804574)
12	02/21/2008	(672003)	41	06/10/2010	(827783)
13	03/25/2008	(672004)	42	03/25/2010	(830852)
14	04/24/2008	(672005)	43	04/23/2010	(830853)
15	02/21/2008	(672006)	44	05/20/2010	(830854)
16	06/25/2008	(682863)	45	06/24/2010	(846258)
17	05/22/2008	(689918)	46	07/20/2010	(860853)
18	06/25/2008	(689919)	47	08/25/2010	(866819)
19	08/22/2008	(710704)	48	09/22/2010	(873891)
20	09/24/2008	(710705)	49	10/25/2010	(881492)
21	08/22/2008	(710706)	50	11/22/2010	(888021)
22	09/24/2008	(710707)	51	12/22/2010	(896226)
23	11/21/2008	(727460)	52	01/21/2011	(902295)
24	12/22/2008	(727461)	53	02/22/2011	(909071)
25	02/19/2009	(750242)	54	03/24/2011	(916334)
26	03/24/2009	(750243)	55	04/25/2011	(924777)
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28	05/21/2009	(768331)	57	06/21/2011	(945338)
29	06/11/2009	(768332)	58	07/22/2011	(952612)
30	05/21/2009	(768333)	59	08/24/2011	(959293)
31	05/21/2009	(768334)	60	09/25/2011	(965326)
32	11/02/2009	(780923)	61	10/25/2011	(971366)
33	12/28/2009	(786649)	62	11/21/2011	(977526)
34	05/05/2010	(799180)	63	12/20/2011	(984292)
35	02/23/2010	(804569)	64	01/20/2012	(990594)
36	08/21/2009	(804570)	65	02/22/2012	(997955)
37	09/15/2009	(804571)			

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	09/30/2007	(607538)	CN603624289
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/30/2008	(689918)	CN603624289
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2008	(710705)	CN603624289
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	01/31/2010	(804569)	CN603624289
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/04/2010	(799180)	CN603624289
Self Report?	NO		Classification: Moderate
Citation:	PC 2 PERMIT		

TWC Chapter 26 26.121

Description: Failure by Huntsman to prevent the unauthorized discharge of wastewater into or adjacent to the waters of the State.

Date: 06/10/2010 (827783) CN603624289

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(17)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 12/31/2010 (902295) CN603624289

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 02/28/2011 (916334) CN603624289

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2011 (965326) CN603624289

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2011 (990594) CN603624289

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 01/31/2012 (997955) CN603624289

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2012 (1010043) CN603624289

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 04/30/2012 (1016437) CN603624289

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 07/18/2012 (1014374) CN603624289

Self Report? NO Classification: Minor

Citation: M&RR, No. 4, Page 5 PERMIT

Description: Failure by Huntsman Petrochemical to include all monitoring results in the calculation and reporting of values.

Self Report? NO Classification: Moderate

Citation: OR, No. 2, Page 12 PERMIT

Description: Failure by Huntsman Petrochemical to use the level of detection achieved for measurements when determining calculations and reporting requirements for Ammonia.

Self Report? NO Classification: Moderate

Citation: M&RR, No. 2, Page 4 PERMIT

Description: Failure by Huntsman Petrochemical to comply with test procedures for the analysis of pollutants specified in 30 TAC 319.11-319.12.

Self Report? NO Classification: Moderate

Citation: OR, No. 1, Page 9 PERMIT

Description: Failure by Huntsman Petrochemicals to ensure at all times that all systems of collection, treatment, and disposal are properly operated and maintained.

Self Report? NO Classification: Minor

Citation: OR, No. 11f, Page 11 PERMIT

Description: Failure by Huntsman Petrochemical to maintain accurate sludge transporter manifests.

Self Report? NO Classification: Moderate

Citation: PC, No. 2g, Page 7 PERMIT

Description: Failure by Huntsman Petrochemical to prevent the discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall.

Self Report? NO Classification: Moderate

Citation: EL&MR, No. 1, Pages 2, 2b, 2e, 2g PERMIT

Description: Failure by Huntsman Petrochemical to discharge effluent within permitted limits.

Self Report? NO Classification: Minor

Citation: D&SPC, No 3, Page 4 PERMIT

Description: Failure by Huntsman Petrochemical to collect composite samples combined in volumes proportional to flow.

Self Report? NO Classification: Minor

Citation: EL&MR, No. 2, Page 2g PERMIT

Description: Failure by Huntsman Petrochemical to discharge effluent within permitted limits.

Self Report? NO Classification: Minor

Citation: M&RR, No. 7(c), Pg. 6 PERMIT

Description: Failure by Huntsman Petrochemicals to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ regional office and the Manager of the Water and Multimedia Section (MC 146) of the Enforcement Division, within five working days of becoming aware of the noncompliance.

F. Environmental audits.

Notice of Intent Date: 10/09/2008 (743943)

Disclosure Date: 02/17/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11
30 TAC Chapter 319, SubChapter A 319.7(a)
30 TAC Chapter 319, SubChapter A 319.7(b)
30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain accurate waste water logs. Specifically, sample collection dates, and signatures were missing. In addition, failure to maintain records of quality control practices, and waste water surveys, and chain of custody for 3 years.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect oil and grease grab samples using a glass container, and failure to maintain daily temperature readings of the oil and grease refrigerator.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain a properly working TSS oven thermometer, and to properly install the filter media into the vacuum system with the rough side down.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.6

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain the TOX-IC mixed standard to ensure that the expiration date is not exceeded, and laboratory must use different SQC and working standards for phenol analysis.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.9(b)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to collect the appropriate number of grab samples and over the appropriate time period for outfall 301.

Viol. Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: PERMIT TPDES0005070

Description: Failure to maintain pre-August 2006 TOC data for wastewater samples collected from outfall 301, and laboratory instrument maintenance records were not readily accessible during the site audit.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
HUNTSMAN PETROCHEMICAL
LLC, HUNTSMAN
INTERNATIONAL FUELS LLC,
HUNTSMAN PROPYLENE OXIDE
LLC, ISP WATER MANAGEMENT
SERVICES LLC, AND TPC GROUP
LLC
RN103123220**

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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2012-1760-IWD-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC ("Respondents") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondents together stipulate that:

1. The Respondents own and operate an industrial wastewater treatment facility located at the southwest corner of the intersection of State Highway Spur 136 and Farm-to-Market Road 366, immediately east of Port Neches in Jefferson County, Texas (the "Facility").
2. The Respondents have discharged industrial waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. The Executive Director and the Respondents agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondents are subject to the Commission's jurisdiction.
4. The Respondents received notice of the violations alleged in Section II ("Allegations") on or about August 12, 2012.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondents of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Thirty-Six Thousand Eight Hundred Dollars (\$36,800) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondents have paid Fourteen Thousand Seven Hundred Twenty Dollars (\$14,720) of the administrative penalty and Seven Thousand Three Hundred Sixty Dollars (\$7,360) is deferred contingent upon the Respondents' timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondents fail to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondents to pay all or part of the deferred penalty. Fourteen Thousand Seven Hundred Twenty Dollars (\$14,720) shall be conditionally offset by the Respondents' completion of a Supplemental Environmental Project ("SEP").
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondents agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondents have not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owners and operators of the Facility, the Respondents are alleged to have failed to comply with permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0000511000 Effluent Limitations and Monitoring Requirements Nos. 1 and 2, Outfall Nos. 001, 003, 008, 010, and 301, as documented during a record review conducted on July 11, 2012, and shown in the violation table below:

EFFLUENT VIOLATION TABLE						
Months	pH Max.	Total Zinc Daily Avg. Conc.	Total Zinc Daily Max. Conc.	Total Organic Carbon Daily Max. Conc.	CBOD ₅ Daily Max. Loading	Total Suspended Solids Daily Max. Loading
	Limit = 9 SU	Limit = 0.075 mg/L	Limit = 0.16 mg/L	Limit = 55 mg/L	Limit = 3632 lbs/day	Limit = 8325 lbs/day
Outfall 001						
January 2012	c	0.08	c	n/a	n/a	n/a
Outfall 003						
March 2012	n/a	c	0.186	n/a	n/a	n/a
Outfall 008						
December 2011	c	n/a	n/a	93.9	n/a	n/a
April 2012	c	n/a	n/a	105	n/a	n/a
Outfall 010						
August 2011	9.1	n/a	n/a	c	n/a	n/a
Outfall 301						
August 2011	c	n/a	n/a	n/a	3,643	12,015

CBOD₅ = 5-day carbonaceous biochemical oxygen demand

max. = maximum

conc. = concentration

mg/L = milligrams per liter

lbs/day = pounds per day

SU = standard units

c = compliant

n/a = not applicable

III. DENIALS

The Respondents generally deny each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondents pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondents' compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC, Docket No. 2012-1760-IWD-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC are jointly and severally liable for the violations documented in this Agreed Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Agreed Order.
3. The Respondents shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Fourteen Thousand Seven Hundred Twenty Dollars (\$14,720) of the assessed administrative penalty shall be offset with the condition that the Respondents implement the SEP defined in Attachment A, incorporated herein by reference. The Respondents' obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
4. It is further ordered that the Respondents shall, within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0000511000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

5. The provisions of this Agreed Order shall apply to and be binding upon the Respondents. The Respondents are ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
6. If the Respondents fail to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondents' failure to comply is not a violation of this Agreed Order. The Respondents shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondents shall notify the Executive Director within seven days after the Respondents become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondents in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the

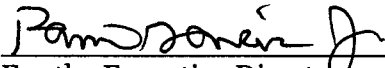
Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondents, or three days after the date on which the Commission mails notice of the Order to the Respondents, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

3/3/13

Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature *for Daniel J. Kemp*

1/2/13

Date

Daniel J. Kemp

Name (Printed or typed)
Authorized Representative of
Huntsman Petrochemical LLC

Director of Manufacturing


Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

3/3/13
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature for Daniel J. Kemp

1/2/13
Date

Daniel J. Kemp
Name (Printed or typed)
Authorized Representative of
Huntsman International Fuels LLC

Director of Manufacturing
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pamela Davis
For the Executive Director

3/3/13
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Michael C. Milby
Signature for Daniel J. Kemp

1/2/13
Date

Daniel J. Kemp
Name (Printed or typed)
Authorized Representative of
Huntsman Propylene Oxide LLC

Director of Manufacturing
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

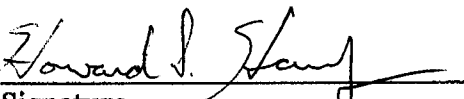
3/31/13
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

12/20/12
Date

HOWARD S. HARDEE
Name (Printed or typed)
Authorized Representative of
ISP Water Management Services LLC

PLANT MANAGER
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

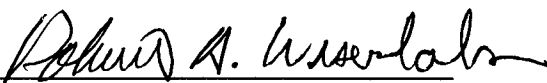
3/3/13
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

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- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

12/21/12
Date

ROBERT A. WISENBAKER
Name (Printed or typed)
Authorized Representative of
TPC Group LLC

PLANT MANAGER
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2012-1760-IWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondents:	Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC
Penalty Amount:	Twenty-Nine Thousand Four Hundred Forty Dollars (\$29,440)
SEP Offset Amount:	Fourteen Thousand Seven Hundred Twenty Dollars (\$14,720)
Type of SEP:	Pre-approved
Third-Party Recipient:	Big Thicket Association
Project Name:	<i>Wetland Species and Ecosystems Analysis</i>
Location of SEP:	Hardin, Jefferson, Orange, Jasper, Liberty, Polk, and Tyler Counties

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for Respondents to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

Respondents shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to the **Big Thicket Association** for the *Wetland Species and Ecosystem Analysis* project. The contribution will be used in accordance with the SEP Agreement between the Third-Party Recipient and the TCEQ. Specifically, the SEP Offset Amount will be used to inventory an additional taxonomic group, such as lichens, bryophytes, mussels, mollusks, amphibians, fish, or birds (the "Project"). The Project will involve collecting specimens from the Preserve as well as wetland properties in the above mentioned counties which are in the process of being donated to the Preserve. Currently, a memorandum of understanding regarding the impending donation is in place that will allow inventory of these properties. These areas have never been inventoried and need data for resource management. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs.

Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC
Agreed Order - Attachment A

Respondent's signature affixed to this Agreed Order certifies that they have no prior commitment to make this contribution and that they are being contributed solely in an effort to settle this enforcement action.

b. Environmental Benefit

This Project will benefit the environment by identifying the biodiversity, both native and exotic, in wetland wildlife corridors to assist in stewardship and sustainability. It will also assess the state of pollution indicator species to determine the impact of pollution on the Preserve. Additionally, inventories will identify areas where invasive species are present and aid in the analysis of harmful invasive species spreads and their impacts so that areas for removal can be identified.

c. Minimum Expenditure

Respondents shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondents must contribute the SEP Offset Amount to the Third-Party Recipient. Respondents shall make the check payable to **Big Thicket Association SEP** and shall mail the contribution with a copy of the Agreed Order to:

Big Thicket Association
Attention: Mary C. Johnston, President
P.O. Box 198
Saratoga, Texas 77585

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, Respondents shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. Respondents shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

Huntsman Petrochemical LLC, Huntsman International Fuels LLC, Huntsman Propylene Oxide LLC, ISP Water Management Services LLC, and TPC Group LLC
Agreed Order - Attachment A

4. Failure to Fully Perform

If Respondents do not perform their obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3, above the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that Respondents failed to fully implement and complete the Project, Respondents shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondents shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or the Project, made by or on behalf of the Respondents must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

Respondents shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondents may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondents under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.